



PCT
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PATENT
3631-118P
P#6

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: MOURITSEN, Soren et al. Conf.: unassigned
Appl. No.: 10/031,342 Group: unassigned
Filed: January 18, 2002 Examiner: UNASSIGNED
For: METHOD FOR DOWN-REGULATING GDF8
ACTIVITY

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INFORMATION DISCLOSURE STATEMENT
(SUBMISSION AFTER FILING OF AN APPLICATION
BUT BEFORE FINAL REJECTION OR NOTICE OF ALLOWANCE
OR CONCURRENTLY WITH A RULE 53(d) CPA APPLICATION
OR WITH A RULE 1.114 RCE APPLICATION)

Assistant Commissioner for Patents
Washington, DC 20231

February 19, 2002

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications, or other information submitted for consideration by the Office are listed on the PTO-1449(s), attached hereto.

II. COPIES (check at least one box)

- a. ☒ Submitted herewith is a legible copy of (i) each U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. ☐ Some or all of the documents listed on the PTO-1449 are not enclosed because they were cited in the International Search Report and copies should already be in the PTO file. If copies are needed, please contact the undersigned.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

a. ☒ **DOCUMENTS IN THE ENGLISH LANGUAGE**

The attached patents, publications, or other information in the English language do not require a statement of relevancy.

b. ☐ **DOCUMENTS NOT IN THE ENGLISH LANGUAGE**

A concise explanation of the relevance of all patents, publications, or other information listed that is not in the English language is as follows:

c. ☐ **ENGLISH LANGUAGE SEARCH REPORT**

An English language version of the search report or action that indicates the degree of relevance found by the foreign office is attached, thereby satisfying the requirement for a concise explanation. See MPEP 609(A)(3).

d. ☐ **OTHER**

The following additional information is provided for the Examiner's consideration.

FEES

IV. ☒ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b):
(check one box)

- a. ☒ within three months of the filing date of a national application (37 C.F.R. § 1.97(b)(1)). No fee or statement is required. (This section is not to be used with RCE's and CPA's).
- b. ☐ within three months of the date of entry of the national stage as set forth in § 1.491 in an international application (37 C.F.R. § 1.97(b)(2)). No fee or statement is required.
- c. ☐ concurrently with the filing of a Continued Prosecution Application under 37 C.F.R. § 1.53(d) or concurrently with the filing of a Request for Continued Examination under § 1.114 (37 C.F.R. § 1.97(b)(4)). No fee or statement is required.
- d. ☐ before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b)(3)). No fee or statement is required.
In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the statement under 37 C.F.R. § 1.97(e) below, or, if no statement has been made, charge our deposit account in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. ☐ THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c)(1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c)(2)).

- a. ☐ No statement; therefore, a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).
- or
- b. ☐ See the statement below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. ☐ each item of information contained in the IDS was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. ☐ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, no item of IDS was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the IDS.
- c. ☐ Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned states that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby states that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application and, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

VII. PAYMENT OF FEES (check one box)

- ☐ A check in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p) is enclosed for the above-identified fee.
- ☐ Please charge Deposit Account No. 02-2448 in the amount required by 37 C.F.R. § 1.17(p) for the above-indicated fee. A triplicate copy of this paper is attached.
- ☒ No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule and charge the appropriate fee to Deposit Account No. 02-2448.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By Kalpana Kelly # 46,183
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LRS/clh
3631-118P

Enclosures: ☒ PTO-1449
☒ Documents
☐ Foreign Search Report
☐ Fee
☐ Other:

(Rev. 10/31/01)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope to: Commissioner of Patents and Trademarks, Washington

D.C. 20231 on: 2-19-02
(Date of deposit)

BIRCH, STEWART, KOLASCH & BIRCH, LLP

[Signature]
(Signature)
Feb 19, 2002
(Date of Signature)

Form PTO-1449

**INFORMATION DISCLOSURE CITATION
IN AN APPLICATION**

(Use several sheets if necessary)

 ATTY DOCKET NO.
3631-118P

 APPLICATION NO.
10/031,342

 APPLICANT
MOURITSEN, Soren et al.

 FILING DATE
January 18, 2002

 GROUP
unassigned

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE TRADEMARK	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE

FOREIGN PATENT DOCUMENTS

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION	
						YES	NO
	WO 98/46642	1998-10-22	WIPO				
	WO 98/23635	1998-06-04	WIPO				
	WO 95/07707	1995-03-23	WIPO				
	WO 95/05849	1995-03-02	WIPO				

OTHER DOCUMENTS (Include Name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.

	WEARSCH, Pamela et al.; "Structural Transitions.." Biochemistry, Vol 37, No. 16, 1998 ✓
	SOUTHWOOD, Scott et al.; "Several Common.." Journal of Immunology 1998, pp3363-3373 ✓
	DONNELLY, John et al.; "DNA Vaccines" Annu. Rev. Immunol. 1997 15:617-48 ✓
	DONNELLY, John J. et al.; "Minireview of DNA Vaccines" Life Sciences, Vol 60, No. 3, pp. 163-172 ✓

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with M.P.E.P. 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 INFORMATION DISCLOSURE CITATION IN AN APPLICATION (Use several sheets if necessary)	ATTY DOCKET NO. 3631-118P	APPLICATION NO. 10/031,342
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	McPHERRON, Alexandra C. et al.; "Regulation of .." Nature Vol 387 MAY 1997 /
	McPHERRON, Alexandra C. et al.; "Double muscling in .." Proc. Natl. Acad. Sci. USA Vol 94, pp. 12457-12461, November 1997 /
	BARR, Ian G. et al.; "ISCOMS.." Immunol. and Cell Biology (1996) 74, 8-25 /
	DALUM, Iben et al.; "Breaking of B Cell.." Journal of Immunol. 1996 pp.4796-4804 /

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	DEMPSEY, Paul W. et al.; "C3d of Complement.." Science Vol. 271, Jan 19 1996 ✓
	MOREIN, Bror et al.; "Immunostimulating.." Clin. Immunother, 3 (6): 461-475, 1995 ✓
	ALEXANDER, Jeff et al.; "Development of High.." Immunity Vol 1, 751-761, December, 1994 ✓
	FALK, Kristen et al.; "Pool sequencing.." Immunogenetics 39: 230-242, 1994 ✓

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	HAMMER, Juergen et al.; "Promiscuous and .." Cell, Vol, 74, 197-203, July 16, 1993, ✓
	CHICZ, Roman M. et al.; "J. Exp. Med. Vol 178, July 1993 27-47 ✓
	P.D. Walker; "Bacterial vaccines:.." Vaccine, Vol 10, Issue 14, 1992 ✓
	SINIGAGLIA, F. et al.; "A malaria T-cell.." Nature Vol. 336 22/29 December 1988 ✓

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	GOSSELIN, Edmund J. et al.; "Enhanced antigen.." J. of Immunol. Vol. 140, 3477-3481 No. 11, December 1992 ✓					
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